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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,827	04/26/2005	Naoki Hase	052478	8889
38834 7590 10/22/2007 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			EXAMINER GOFF II, JOHN L	
			ART UNIT 1791	PAPER NUMBER
			MAIL DATE 10/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/532,827	Applicant(s) HASE ET AL.	
	Examiner John L. Goff	Art Unit 1733	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 October 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

John L. Goff
 Primary Examiner
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Continuation of 11. does NOT place the application in condition for allowance because:

Applicants argue, "Iizuka discloses a batch-wise laminating method which is a non-analogous process from the continuous lamination as recited in the claims. Additionally, the curl or dimensional change of the laminate in Iizuka is different from the "end waviness" in the present invention. The continuous lamination process is performed in a roll to roll process as shown in the drawing, and the "end waviness" results from the plastic deformation caused by take-up tension which can not exist in Iizuka. In Iizuka, the curl or dimensional change of the laminate is caused by residual strain in the laminate."

Hase et al. and Iizuka et al. are considered analogous as both are directed to producing a laminate of the same type through similar processes including cooling the laminate wherein Iizuka et al. disclose more cooling at the center portion of the laminate as compared to the ends to prevent wrinkling the laminate during cooling the cooling in this manner not described as specific to a continuous or discontinuous process such that cooling in this manner in Hase et al. would prevent wrinkling the laminate formed by Hase et al. As to applicants argument that "the curl or dimensional change of the laminate in Iizuka is different from the "end waviness" in the present invention" the claims are not commensurate in scope with this argument.

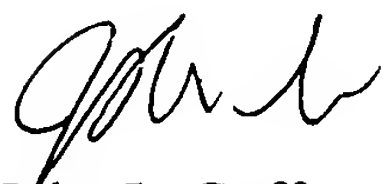
Applicants further argue, "Applicants respectfully submit that the English translation abstract of Okochi provided with the Office Action is inaccurate. Okochi discloses that the temperature at the center of the steel sheet is at most 60°C lower than both ends, (Okochi, claim 1), and at most 30°C higher than both ends, (Okochi, claim 2). (See enclosed translation of Okochi.) Thus, in Okochi, the temperature at the ends is controlled to -30°C to about +60°C relative to the center. Therefore, Okochi does not disclose controlling the temperature in a width

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direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion.”.

It is noted the translation submitted by applicants is not verified/certified and an oral translation of claims 1 and 2 indicates the claims disclose the method is for preventing wrinkling of the steel sheet which language is not included in the translation supplied by applicant.

Furthermore, the disclosure in the specification of Figure 2 appears to disclose that cooling nozzles (4 of Figure 2) include more cooling air holes (5 of Figure 2) at the center of the steel sheet than at the edges to provide more cooling at the center. Additionally, the abstract as applied in the rejection heading has a publication date of 1992 and is available as prior art. In any event, the translation of claim 1 as supplied by applicants supports the original reason for which Okochi et al. is provided, i.e. as evidence that it is well taken in the art of cooling a heated metallic sheet, e.g. steel, by contacting the sheet with a cooling substrate that cooling is performed by controlling the temperature in a width direction of the laminate to provide more cooling at the center of the sheet and less cooling at the ends of the sheet to prevent the sheet from wrinkling wherein the temperature difference is as much as 60 °C. Thus, the arguments are not persuasive and the rejection is maintained.



John L. Goff
Primary Examiner
Art Unit 1791